

kill, maim, injure, molest, entrap, or detain an Antwerp Messenger or Homing Pigeon, commonly called a 'carrier pigeon'; making it unlawful for person other than owner to remove or alter any stamp or identification mark; and to provide a penalty for the violation thereof; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

SMITH, Chairman.

Senator Beck, by unanimous consent, submitted at this time the following report:

Austin, Texas,
March 27, 1941.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Constitutional Amendments, to whom was referred

S. J. R. No. 17, A Joint Resolution proposing an amendment to Article V of the Constitution of Texas by providing that the Legislature shall have the power, by local or general law, in counties having a population in excess of two hundred and fifty thousand (250,000) inhabitants to create other courts having exclusive jurisdiction or concurrent jurisdiction with the county court in civil, criminal or probate matters; fixing the time for an election therefor; prescribing the form of ballot; providing for a proclamation of such election and the advertisement thereof, and making an appropriation therefor.

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

BECK, Chairman.

Senator Ramsey, by unanimous consent, submitted at this time the following report:

Senate Chamber,
Austin, Texas,
March 27, 1941.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries, to whom was referred

H. B. No. 74, A bill to be entitled "An Act to amend Article 2970, Title

50, Chapter 5, of the Revised Civil Statutes of Texas, of 1925, as amended by Section 2 of Chapter 2, Acts of the Forty-sixth Legislature, Regular Session, 1939; page 296; repealing all laws in conflict; and declaring an emergency."

Have had the same under consideration, and beg leave to report it back to the Senate with the recommendation that it do pass and be printed.

RAMSEY, Chairman.

House Concurrent Resolution 82

The President laid before the Senate for consideration at this time:

H. C. R. No. 82, Authorizing either House to adjourn from March 27, 1941, to March 31, 1941.

The resolution was read and was adopted.

Record of Vote

Senator Hill asked to be recorded as voting "nay" on the resolution.

House Concurrent Resolution 81

The President laid before the Senate (the resolution having been received from the House today):

H. C. R. No. 81, To extend time for registering commercial motor vehicles for the registration year 1941.

The resolution was read and was referred to the Committee on Highways and Motor Traffic.

Adjournment

Senator Lovelady moved that the Senate adjourn until 10:00 o'clock a. m. tomorrow.

The motion prevailed, and the Senate, accordingly, at 2:10 o'clock p. m., adjourned until 10:00 o'clock a. m. tomorrow.

FORTY-SECOND DAY

(Friday, March 28, 1941)

The Senate met at 10:00 o'clock a. m., pursuant to adjournment, and was called to order by President Stevenson.

The roll was called, and the following Senators were present:

Aikin	Formby
Beck	Graves
Brownlee	Hazlewood
Chadick	Lemens

Lovelady	Smith
Mauritz	Stone
Metcalfe	Van Zandt
Moffett	Weinert
Moore	Winfield

Absent—Excused

Cotten	Spears
Hill	Sulak
Isbell	

Senator Weinert moved a call of the Senate for the purpose of securing a quorum.

The motion was duly seconded, and the call of the Senate was ordered.

The following Senators appeared in the Senate Chamber in the order named and were announced present:

Senators Kelley, Lanning, Fain, Vick, Martin, Shivers, Ramsey, and York.

A quorum was announced present.

Rev. S. B. Culpepper, Chaplain, offered prayer.

On motion of Senator Aikin and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

Leaves of Absence Granted

Senators Hill and Isbell were granted leaves of absence for today on account of attendance of hearing in Dallas of the Senate Committee appointed to investigate Old Age Assistance, on motion of Senator Metcalfe.

Senator Sulak was granted leave of absence for today on account of important business, on motion of Senator Brownlee.

Senator Cotten was granted leave of absence for today on account of illness, on motion of Senator Aikin.

Senator Spears was granted leave of absence for today on account of important business on motion of Senator Graves.

Bill and Resolution Signed

The President signed in the presence of the Senate, after their captions had been read, the following enrolled bill and resolution:

H. B. No. 374, A bill to be entitled "An Act to amend Chapter 57 of the Acts of the Forty-first Legislature of Texas, Regular Session, as amended by Chapter 200 of the Acts

of the Forty-fifth Legislature of Texas, Regular Session, by amending Section 12 and 13b thereof so as to provide for the funding of scrip and warrant indebtedness of the Road and Bridge Fund of Montgomery County, Texas, legally incurred prior to February 1, 1941; and validating, ratifying, legalizing, and confirming an issue of Sixty-six Thousand (\$66,000) Dollars of road and bridge time warrants of said county, dated February 1, 1941, and authorizing the funding thereof into coupon bonds of said county, in accordance with the terms and provisions of this Act; repealing all laws or parts of laws in conflict herewith; and declaring an emergency."

H. C. R. No. 82, Granting each House the right to adjourn to a certain date.

Invitation to Jackson Day Dinner

The President laid before the Senate, and had read, the following communication:

Houston, Texas, March 27, 5:10 p. m.
Lieutenant Governor Coke Stevenson,
State Capitol, Austin, Texas.

Will you please extend to each member of the State Senate our most cordial invitation to be our guests at the Texas Jackson Day Dinner to be held at the Rice Hotel, Houston, Saturday night. The presence of the members of our Senate at the Jackson Day Dinner would be most fitting at this great state-wide gathering of loyal democrats. Please advise us as to how many Senators plan to attend so that reservations may be made for them.

GEORGE A. BUTLER,
Jackson Day Chairman.
MYRON G. BLALOCK,
National Committeeman.

Senate Concurrent Resolution 36

Senator Brownlee offered the following resolution:

S. C. R. No. 36, Inviting Hon. Lyndon B. Johnson to address a joint session of the Legislature.

Whereas, April 21, 1941, is the 105th Anniversary of the Battle of San Jacinto, where a small band of patriots, by their valor and consecration to ideals of liberty and freedom, liberated and freed the people of Texas from despotism and tyranny; and

Whereas, There exists in the world today another such chaotic condition, and democratic ideals are in danger; and

Whereas, Our great President, Franklin D. Roosevelt, has been instrumental in making these United States an arsenal for democracy and freedom; and

Whereas, The Honorable Lyndon B. Johnson, a member of Congress from Texas, has been an able and staunch supporter of the President, and has given him loyal support in his policies; and

Whereas, The forbears and relatives of the said Lyndon B. Johnson were identified with the Independence of Texas; and

Whereas, His father, the late Sam E. Johnson, a former member of the Texas House of Representatives, was the author of the Alamo Purchase Bill; now, therefore, be it

Resolved by the Senate of Texas, the House of Representatives concurring, that the Honorable Lyndon B. Johnson be invited to address a joint session of the Texas Legislature on April 21st, at 11 a. m., on the subject of Texas Independence, and future world freedom; and be it further

Resolved, That the Clerk of the House send a copy of this resolution to Mr. Johnson and make the necessary preparations for his accepting this invitation herein expressed; and, be it further

Resolved, That the time for this address be set by the Speaker to suit the convenience of Mr. Johnson.

The resolution was read, and by unanimous consent, it was considered at this time.

The resolution was adopted.

Senate Resolution 75

Senator Kelley offered the following resolution:

Whereas, The A. & M. College officers, who are on duty, stationed at Fort Sam Houston, Texas, are having a dinner at the Plaza Hotel in San Antonio, Texas, on Monday night, March 31st, 1941; and

Whereas, There hangs in the lobby to the Senate entrance the Service Banner of A. & M. College with the following inscription; "This is the World War Service Flag of the Agricultural and Mechanical College of

Texas. The gold stars represent the sons of the Institution who gave their lives in that conflict; the other stars represent the A. & M. men in the service of their country during the war. The A. & M. College had a higher percentage of its graduates enrolled in the United States Military services during the war than any other College or University in the United States;" and

Whereas, It is the desire of said officers, that the Honorable William Lawson, Secretary of State, shall bear said flag on said occasion, that all may see and read these inspiring words; now, therefore, be it

Resolved by the Senate of the Forty-seventh Legislature of Texas; that permission be given that said Service Flag be taken to San Antonio on said occasion, by said Lawson, and displayed at this banquet, that same shall be safely returned to its original place, in the Senate lobby entrance, immediately after said occasion.

KELLEY,
METCALFE,
MOFFETT.

The resolution was read, and by unanimous consent, it was considered at this time and was adopted.

Conference Committee on House Bill 369

Senator Mauritz called up from the President's table, for consideration at this time, the request of the House for a Conference Committee on H. B. No. 369.

Senator Mauritz moved that the request of the House be granted.

The motion prevailed.

Conference Committee on House Concurrent Resolution 78

Senator Moffett called up from the President's table, for consideration at this time, the request of the House for a Conference Committee on H. C. R. No. 78.

Senator Moffett moved that the request of the House be granted.

The motion prevailed.

Accordingly, the President appointed the following conferees on the bill on the part of the Senate: Senators Moffett, Van Zandt, Metcalfe, Weinert and Lanning.

Senate Bill on First Reading

By unanimous consent, the following bill was introduced at this time and was read and referred to the committee indicated:

By Senator Mauritz:

S. B. No. 408, A bill to be entitled "An Act creating a Special Road Law for DeWitt County, Texas; providing that said county may fund or refund into coupon bonds the scrip and time warrants outstanding against its road and bridge fund as of the 31st day of March, 1941; setting forth the method of said funding or refunding; validating all acts of the commissioners' court in issuing said scrip and time warrants; validating said scrip and time warrants; providing the General Laws of the State of Texas shall be applicable to DeWitt County when not in conflict herewith; providing this Act shall be cumulative of all general and special laws not in conflict herewith; providing a saving clause; and declaring an emergency."

To Committee on Highways and Motor Traffic.

Reports of Standing Committees

Senator Weinert, by unanimous consent, submitted at this time the following reports:

Austin, Texas,
March 27, 1941.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred S. B. No. 329, A bill to be entitled "An Act providing that the Attorney General of the State of Texas may enter into a contract and/or contracts employing a party to furnish information as to any property, land or money that the State of Texas has lost by fraud, forgery or other illegal act; etc."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do not pass.

WEINERT, Chairman.

Austin, Texas,
March 27, 1941.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

S. B. No. 193, A bill to be entitled "An Act amending S. B. No. 6 of the

Regular Session of the Forty-second Legislature; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

WEINERT, Chairman.

Austin, Texas,
March 27, 1941.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

S. B. No. 83, A bill to be entitled "An Act amending Article 3726, Revised Civil Statutes, 1925, as amended by H. B. No. 73, First Called Session, Fortieth Legislature, relating to the admission of recorded instruments without proof; providing that if the land to which the instrument pertains is situated within the county in which the suit is pending, the party desiring to offer in evidence recorded instruments, may do so, without producing the originals thereof and without accounting for his failure to produce such originals, etc."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

WEINERT, Chairman.

Senator Van Zandt, by unanimous consent, submitted at this time the following report:

Austin, Texas,
March 26, 1941.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Public Health, to whom was referred

S. B. No. 249, A bill to be entitled "An Act providing for the establishing, operating and maintaining within this State of non-profit medical and surgical care plans on a regular periodic prepayment basis; providing for the creation and operation of non-profit corporations for the execution and administration thereof and for the powers, conduct and operation of such corporations; etc.; and declaring an emergency."

Have had the same under consideration, and I am instructed to report same back to the Senate with the recommendation that the original bill

do not pass, but that committee substitute attached hereto do pass and be printed.

SULAK, Chairman.

Senate Bill 236 on Second Reading

On motion of Senator Van Zandt and by unanimous consent, the regular order of business was suspended, to permit consideration of S. B. No. 236 at this time.

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 236, A bill to be entitled "An Act providing for the appointment by the District Judge of the Sixteenth Judicial District of Texas, composed of the counties of Cooke and Denton, or the judge of the judicial district of which the counties of Cooke and Denton are a part thereof, of an official shorthand reporter for such district; providing his qualifications; providing that the salary of said official shorthand reporter shall be fixed and determined by the judge of said district and not otherwise; providing for the manner of payment of said salary and out of what fund; providing for transcript fees and allowance for expenses as provided in Chapter 56, H. B. No. 276, Acts Regular Session of the Forty-first Legislature, 1929, which allowances, as now provided by law being fixed and established as a part of this Act; declaring this Act to be a special act, notices thereof having been duly published and exhibited as required by law; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 236 on Third Reading

Senator Van Zandt moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 236 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—24

Aikin	Kelley
Brownlee	Lanning
Chadick	Lemens
Fain	Lovelady
Formby	Martin
Graves	Mauritz
Hazlewood	Metcalf

Moffett
Ramsey
Shivers
Smith
Stone

Van Zandt
Vick
Weinert
Winfield
York

Absent

Beck

Moore

Absent—Excused

Cotten
Hill
Isbell

Spears
Sulak

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—24

Aikin
Brownlee
Chadick
Fain
Formby
Graves
Hazlewood
Kelley
Lanning
Lemens
Lovelady
Martin

Mauritz
Metcalf
Moffett
Ramsey
Shivers
Smith
Stone
Van Zandt
Vick
Weinert
Winfield
York

Absent

Beck

Moore

Absent—Excused

Cotten
Hill
Isbell

Spears
Sulak

House Bill 471 on Second Reading

On motion of Senator Weinert and by unanimous consent, the regular order of business was suspended, to permit consideration of H. B. No. 471 at this time.

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 471, A bill to be entitled "An Act repealing H. B. No. 907, Chapter 34, Special Laws, Acts of the Forty-sixth Legislature, Regular Session, known as the road work law for Blanco County; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 471 on Third Reading

Senator Weinert moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 471 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—24

Aikin	Mauritz
Brownlee	Metcalf
Chadick	Moffett
Fain	Ramsey
Formby	Shivers
Graves	Smith
Hazlewood	Stone
Kelley	Van Zandt
Lanning	Vick
Lemens	Weinert
Lovelady	Winfield
Martin	York

Absent

Beck	Moore
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Absent—Excused

Cotten	Spears
Hill	Sulak
Isbell	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—24

Aikin	Mauritz
Brownlee	Metcalf
Chadick	Moffett
Fain	Ramsey
Formby	Shivers
Graves	Smith
Hazlewood	Stone
Kelley	Van Zandt
Lanning	Vick
Lemens	Weinert
Lovelady	Winfield
Martin	York

Absent

Beck	Moore
------	-------

Absent—Excused

Cotten	Spears
Hill	Sulak
Isbell	

Committee Substitute Senate Bill 213 on Second Reading

On motion of Senator Winfield and by unanimous consent, the regular order of business was suspended to permit consideration of C. S. S. B. No. 213 at this time.

The President laid before the Senate on its second reading and passage to engrossment:

C.S.S.B. No. 213, A bill to be entitled "An Act providing for compensation to be paid county commissioners for their services as ex-officio road commissioners; providing for reimbursement of county commissioners for the use by such commissioners of their personal automobiles in traveling in the discharge of their duties as ex-officio road commissioners; and limiting the application of this Act to counties regularly maintaining in excess of one thousand (1,000) miles of county maintained roads and having an assessed valuation, according to the approved tax rolls for the last preceding year, exceeding Thirty-five Million (\$35,000,000) Dollars; repealing all laws or parts of law in conflict herewith; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Committee Substitute Senate Bill 213 on Third Reading

Senator Winfield moved that the constitutional rule requiring bills to be read on three several days be suspended and that C. S. S. B. No. 213 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—24

Aikin	Mauritz
Brownlee	Metcalf
Chadick	Moffett
Fain	Ramsey
Formby	Shivers
Graves	Smith
Hazlewood	Stone
Kelley	Van Zandt
Lanning	Vick
Lemens	Weinert
Lovelady	Winfield
Martin	York

Absent

Beck	Moore
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Absent—Excused

Cotten	Spears
Hill	Sulak
Isbell	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—24

Aikin	Mauritz
Brownlee	Metcalf
Chadick	Moffett
Fain	Ramsey
Formby	Shivers
Graves	Smith
Hazlewood	Stone
Kelley	Van Zandt
Lanning	Vick
Lemens	Weinert
Lovelady	Winfield
Martin	York

Absent

Beck	Moore
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Absent—Excused

Cotten	Spears
Hill	Sulak
Isbell	

Senate Bill 405 on Second Reading

On motion of Senator Mauritz and by unanimous consent, the regular order of business was suspended, to permit consideration of S. B. No. 405 at this time.

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 405, A bill to be entitled "An Act fixing the term of office of school trustees of independent school districts, whether created under general law or by special act of the Legislature, having as many as six hundred and two (602) and not more than six hundred and seven (607) scholastics according to the 1940 official scholastic census and wherein there may be situated a city having a population of as many as seventeen hundred twenty-five (1725) and not more than seventeen hundred thirty (1730) according to the last preceding Federal Census, and having a board of seven trustees; providing that in all such school districts trustees shall be voted upon and elected separately for

positions on said board of trustees and prescribing a method whereby trustees in any such school district within ten days from the effective date of this Act shall draw for positions on any such board of trustees in any such school district; etc.; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 405 on Third Reading

Senator Mauritz moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 405 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—25

Aikin	Metcalf
Brownlee	Moffett
Chadick	Moore
Fain	Ramsey
Formby	Shivers
Graves	Smith
Hazlewood	Stone
Kelley	Van Zandt
Lanning	Vick
Lemens	Weinert
Lovelady	Winfield
Martin	York
Mauritz	

Absent

Beck

Absent—Excused

Cotten	Spears
Hill	Sulak
Isbell	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—25

Aikin	Metcalf
Brownlee	Moffett
Chadick	Moore
Fain	Ramsey
Formby	Shivers
Graves	Smith
Hazlewood	Stone
Kelley	Van Zandt
Lanning	Vick
Lemens	Weinert
Lovelady	Winfield
Martin	York
Mauritz	

Absent
Beck
Absent—Excused

Cotten Spears
Hill Sulak
Isbell

House Bill 227 on Second Reading

On motion of Senator Brownlee and by unanimous consent, the regular order of business was suspended, to permit consideration of H. B. No. 227 at this time.

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 227, A bill to be entitled "An Act authorizing the county board of trustees in counties having a population of not less than five thousand, nine hundred (5,900) nor more than six thousand (6,000) as shown by the Federal Census of 1940, to set aside a certain amount of the available school fund apportioned to such counties to defray certain expenses in the administration of the scholastic affairs of such counties; repealing all laws and parts of laws in conflict herewith; and declaring an emergency."

The bill was read second time.

Senator Brownlee offered the following amendment to the bill:

Amend H. B. No. 227, by striking out the words and figures "five thousand, nine hundred (5,900)," wherever they appear, and inserting in lieu thereof the words and figures "five thousand, nine hundred and fifty (5,950);" and by striking out the words and figures "six thousand (6,000)," wherever they appear, and inserting in lieu thereof the words and figures "six thousand and fifty (6,050)."

The amendment was adopted.

The bill was passed to third reading.

House Bill 227 on Third Reading

Senator Brownlee moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 227 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—25
Aikin Chadick
Brownlee Fain

Formby
Graves
Hazlewood
Kelley
Lanning
Lemens
Lovelady
Martin
Mauritz
Metcalf
Moffett

Moore
Ramsey
Shivers
Smith
Stone
Van Zandt
Vick
Weinert
Winfield
York

Absent

Beck

Absent—Excused

Cotten Spears
Hill Sulak
Isbell

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—25

Aikin Metcalf
Brownlee Moffett
Chadick Moore
Fain Ramsey
Formby Shivers
Graves Smith
Hazlewood Stone
Kelley Van Zandt
Lanning Vick
Lemens Weinert
Lovelady Winfield
Martin York
Mauritz

Absent

Beck

Absent—Excused

Cotten Spears
Hill Sulak
Isbell

Senate Bill 362 on Second Reading

On motion of Senator Fain and by unanimous consent, the regular order of business was suspended, to permit consideration of S. B. No. 362 at this time.

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 362, A bill to be entitled "An Act to fix the maximum rate of tax to be levied in all independent school districts having a scholastic population of not more than six hun-

dred and forty (640), nor less than six hundred and thirty (630), according to the 1940-1941 scholastic census; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 362 on Third Reading

Senator Fain moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 362 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—26

Aikin	Mauritz
Beck	Metcalf
Brownlee	Moffett
Chadick	Ramsey
Fain	Shivers
Formby	Smith
Graves	Stone
Hazlewood	Van Zandt
Kelley	Vick
Lanning	Weinert
Lemens	Winfield
Lovelady	York
Martin	

Absent

Moore

Absent—Excused

Cotten	Spears
Hill	Sulak
Isbell	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—26

Aikin	Mauritz
Beck	Metcalf
Brownlee	Moffett
Chadick	Moore
Fain	Ramsey
Formby	Shivers
Graves	Smith
Hazlewood	Stone
Kelley	Van Zandt
Lanning	Vick
Lemens	Weinert
Lovelady	Winfield
Martin	York

Absent—Excused

Cotten	Spears
Hill	Sulak
Isbell	

Senate Bill 363 on Second Reading

On motion of Senator Fain and by unanimous consent, the regular order of business was suspended, to permit consideration of S. B. No. 363 at this time.

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 363, A bill to be entitled "An Act to fix the maximum rate of tax to be levied in all independent school districts having a scholastic population of not more than eight hundred and forty (840), nor less than eight hundred and thirty (830), according to the 1940-1941 scholastic census; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 363 on Third Reading

Senator Fain moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 363 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—26

Aikin	Mauritz
Beck	Metcalf
Brownlee	Moffett
Chadick	Moore
Fain	Ramsey
Formby	Shivers
Graves	Smith
Hazlewood	Stone
Kelley	Van Zandt
Lanning	Vick
Lemens	Weinert
Lovelady	Winfield
Martin	York

Absent—Excused

Cotten	Spears
Hill	Sulak
Isbell	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—26

Aikin	Formby
Beck	Graves
Brownlee	Hazlewood
Chadick	Kelley
Fain	Lanning

Lemens	Shivers
Lovelady	Smith
Martin	Stone
Mauritz	Van Zandt
Metcalfe	Vick
Moffett	Weinert
Moore	Winfield
Ramsey	York

Absent—Excused

Cotten	Spears
Hill	Sulak
Isbell	

Message from the House

A Clerk of the House was recognized to present the following message:

Hall of the House of Representatives,
Austin, Texas,
March 28, 1941.

Hon. Coke R. Stevenson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills and resolutions:

H. C. R. No. 83, Authorizing officers of this State to forego and withhold prosecution of owners of commercial vehicles so that owners may have the opportunity of registering said commercial motor vehicles, under the new Registration Act, without suffering any penalties if said vehicles are registered on or before April 15, 1941.

H. B. No. 800, A bill to be entitled "An Act making unlawful the use of force or violence or threats thereof to prevent or attempt to prevent any person from engaging in any lawful vocation and providing penalties for the violation thereof; making it unlawful for any person acting in concert with other persons to assemble and prevent or attempt to prevent by force or violence any person from engaging in a lawful vocation and making it unlawful to encourage and aid such unlawful assemblage and providing penalties for the violation thereof; defining the 'labor dispute'; making the provisions of this Act cumulative of existing laws; and providing a severance or saving clause; and declaring an emergency."

H. B. No. 731, A bill to be entitled "An Act amending H. B. No. 375 of the Acts of the Regular Session of the Forty-seventh Legislature which became effective on March 7, 1941,

for the purpose of correcting a clerical error made during passage of the bill, and declaring an emergency."

H. B. No. 791, A bill to be entitled "An Act amending H. B. No. 6, Chapter 88, page 172, subsection (i) of Section 1, Acts of the Forty-first Legislature, Second Called Session, as amended by H. B. No. 32, Chapter 23, page 151, Acts of the Forty-first Legislature, Fifth Called Session, by adding to said subsection (i) a provision excepting vehicles used in the delivery of United States mails from the term 'Commercial Motor Vehicle'; and declaring an emergency."

Respectfully submitted,

E. R. LINDLEY,
Chief Clerk, House of Representatives.

House Bills on First Reading

The following House bills, previously received from the House, were laid before the Senate, read first time and referred to the committees indicated:

H. B. No. 567, to Committee on Finance.

H. B. No. 731, to Committee on Rules.

H. B. No. 791, to Committee on Highways and Motor Traffic.

H. B. No. 800, to Committee on State Affairs.

Reference of House Concurrent Resolutions

The following resolutions, previously received from the House, were laid before the Senate, read severally, and referred to the committees indicated:

H. C. R. No. 64, to Committee on State Affairs.

H. C. R. No. 80, to Committee on Finance.

House Concurrent Resolution No. 83

The President laid before the Senate (the resolution having been received from the House today):

H. C. R. No. 83, Relating to enforcement of certain laws relating to commercial motor vehicles.

The resolution was read.

On motion of Senator Kelley and by unanimous consent, the resolution was considered immediately and was adopted.

House Bill 211 on Second Reading

On motion of Senator Hazlewood and by unanimous consent, the regular order of business was suspended, to permit consideration of S. B. No. 211 at this time.

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 211, A bill to be entitled "An Act amending Article 6008 of the Revised Civil Statutes of Texas, as amended by Chapter 120, Acts of the Forty-fourth Legislature, Regular Session, providing for the use of sweet and other natural gas under certain conditions for the manufacture of carbon black; and declaring an emergency."

The bill was read second time.

Senator Hazlewood offered the following amendments to the bill:

(1)

Amend H. B. No. 211, by Favors, by striking out paragraph (b) of subsection (1), Section (7), line 30, page 2, and inserting in lieu thereof the following:

"(b). Efficient chemical manufacturing, other than the manufacture of carbon black, provided, however, that sweet gas produced from wells located in a common reservoir producing both sweet and sour gas may be used for the manufacture of carbon black where it is utilized in a plant producing an average recovery of not less than five (5) pounds of carbon black to each one thousand (1,000) cubic feet of gas."

(2)

Amend H. B. No. 211, by Favors, by adding the following at the end of sub-division (j), Section 3, line 8, page 2:

"and unless such sweet gas is produced from a well located in a common reservoir producing both sweet and sour gas."

The amendments were adopted severally.

Senator Hazlewood offered the following (committee) amendment to the bill:

Amend H. B. No. 211 by striking out the word "purpose" in sub-division m of Section 3, and inserting in lieu thereof the word "type."

The (committee) amendment was adopted.

By unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill was passed to third reading.

Record of Vote

Senator Moore asked to be recorded as voting "nay" on the passage of the bill to third reading.

House Bill 211 on Third Reading

Senator Hazlewood moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 211 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—25

Aikin	Mauritz
Beck	Metcalf
Brownlee	Moffett
Chadick	Ramsey
Fain	Shivers
Formby	Smith
Graves	Stone
Hazlewood	Van Zandt
Kelley	Vick
Lanning	Weinert
Lemens	Winfield
Lovelady	York
Martin	

Nays—1

Moore

Absent—Excused

Cotten	Spears
Hill	Sulak
Isbell	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—23

Aikin	Mauritz
Beck	Metcalf
Brownlee	Moffett
Fain	Shivers
Formby	Smith
Graves	Stone
Hazlewood	Van Zandt
Kelley	Vick
Lanning	Weinert
Lemens	Winfield
Lovelady	York
Martin	

Nays—3

Chadick Ramsey
Moore

Absent—Excused

Cotten Spears
Hill Sulak
Isbell

Report of Standing Committee

Senator Metcalfe, by unanimous consent, submitted at this time the following report:

Senate Chamber,
Austin, Texas,
March 28, 1941.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Rules, to whom was referred

H. B. No. 731, A bill to be entitled "An Act amending H. B. No. 375 of the Acts of the Regular Session of the Forty-seventh Legislature which became effective on March 7, 1941, for the purpose of correcting a clerical error made during passage of the bill; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

METCALFE, Chairman.

House Bill 424 on Second Reading

On motion of Senator Stone and by unanimous consent, the regular order of business was suspended, to permit consideration of H. B. No. 424 at this time.

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 424, A bill to be entitled "An Act to permit any county containing a population not less than seven thousand, one hundred (7,100) nor more than seven thousand, four hundred ninety-seven (7,497) according to the last preceding Federal Census to adopt by a majority vote of qualified voters of such county a county unit system to the extent provided in this Act; making provisions for the formation of a county-wide school district therein; making provision for holding election in each such county on the question of the adoption of the provisions of this Act; making provision for holding

election in each such county to determine whether an equalization tax not to exceed twenty (20) cents on the One Hundred Dollars (\$100.00) valuation of property shall be levied and collected annually on all taxable property in the county, such tax to be distributed to the school districts of the county as herein provided; making provision for the assessment and collection of said equalization tax, and prescribing the duties of the County Tax Assessor and Collector and County Superintendent; prescribing the duties of the County Board of School Trustees with respect to such tax and the funds derived therefrom; providing that all rights, duties and powers of the several common and independent school districts in any such county shall remain undisturbed and shall not be affected, except as expressly provided in this Act; providing a saving clause; repealing all laws in conflict herewith; and declaring an emergency."

The bill was read second time.

Senator Stone offered the following amendment to the bill:

Amend H. B. No. 424, Section 1, by striking out the words and figures "seven thousand one hundred (7,100)" in the second line of said Section and by inserting in lieu thereof the words and figures "seven thousand five hundred (7,500)" and by striking out the words and figures "seven thousand four hundred and ninety-seven (7,497)" in the third line of said Section and by inserting in lieu thereof the words and figures "seven thousand five hundred and ninety (7,590)." And amend the caption accordingly.

The amendment was adopted.

The bill was passed to third reading.

House Bill 424 on Third Reading

Senator Stone moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 424 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—26

Aikin	Formby
Beck	Graves
Brownlee	Hazlewood
Chadick	Kelley
Fain	Lanning

Lemens	Shivers
Lovelady	Smith
Martin	Stone
Mauritz	Van Zandt
Metcalf	Vick
Moffett	Weinert
Moore	Winfield
Ramsey	York

Absent—Excused

Cotten	Spears
Hill	Sulak
Isbell	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—26

Aikin	Mauritz
Beck	Metcalf
Brownlee	Moffett
Chadick	Moore
Fain	Ramsey
Formby	Shivers
Graves	Smith
Hazlewood	Stone
Kelley	Van Zandt
Lanning	Vick
Lemens	Weinert
Lovelady	Winfield
Martin	York

Absent—Excused

Cotten	Spears
Hill	Sulak
Isbell	

Committee Substitute Senate Bill 22 on Second Reading

On motion of Senator Graves and by unanimous consent, the regular order of business was suspended, to permit consideration of C. S. S. B. No. 22 at this time.

The President laid before the Senate on its second reading and passage to engrossment:

C.S.S.B. No. 22, A bill to be entitled "An Act providing for the appointment of grand jury bailiffs by the judge of the criminal district court in any county having a population of not less than three hundred twenty-five thousand (325,000) inhabitants and not more than three hundred ninety thousand (390,000) inhabitants, according to the United States Census of 1940 and all future Federal Census; providing for the salaries of

said grand jury bailiffs, the method of payment, and the removal of said grand jury bailiffs; providing certain expenses to be allowed for travel and in connection with the use of the automobiles for official business by said grand jury bailiffs; repealing all laws in conflict; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Committee Substitute Senate Bill 22 on Third Reading

Senator Graves moved that the constitutional rule requiring bills to be read on three several days be suspended and that C. S. S. B. No. 22 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—26

Aikin	Mauritz
Beck	Metcalf
Brownlee	Moffett
Chadick	Moore
Fain	Ramsey
Formby	Shivers
Graves	Smith
Hazlewood	Stone
Kelley	Van Zandt
Lanning	Vick
Lemens	Weinert
Lovelady	Winfield
Martin	York

Absent—Excused

Cotten	Spears
Hill	Sulak
Isbell	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—26

Aikin	Mauritz
Beck	Metcalf
Brownlee	Moffett
Chadick	Moore
Fain	Ramsey
Formby	Shivers
Graves	Smith
Hazlewood	Stone
Kelley	Van Zandt
Lanning	Vick
Lemens	Weinert
Lovelady	Winfield
Martin	York

Absent—Excused

Cotten	Spears
Hill	Sulak
Isbell	

House Bill 389 on Second Reading

On motion of Senator Lovelady and by unanimous consent, the regular order of business was suspended, to permit consideration of H. B. No. 289 at this time.

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 389, A bill to be entitled "An Act amending Article 5954 of the Revised Civil Statutes of 1925, relative to authority of notaries public and requiring them to print or stamp their name under their signature when signed in their official capacity; and declaring an emergency."

The bill was read second time.

Senator Martin offered the following amendment to the bill:

Amend H. B. No. 389 by adding after the word "depositions" in line 42 of the printed bill, the following "provided that failure to so print or stamp their name under their signature shall not invalidate such acknowledgment." And amend caption accordingly.

The amendment was adopted.

The bill was passed to third reading.

House Bill 389 on Third Reading

Senator Lovelady moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 389 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—26

Aikin	Mauritz
Beck	Metcalf
Brownlee	Moffett
Chadick	Moore
Fain	Ramsey
Formby	Shivers
Graves	Smith
Hazlewood	Stone
Kelley	Van Zandt
Lanning	Vick
Lemens	Weinert
Lovelady	Winfield
Martin	York

Absent—Excused

Cotten	Spears
Hill	Sulak
Isbell	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—26

Aikin	Mauritz
Beck	Metcalf
Brownlee	Moffett
Chadick	Moore
Fain	Ramsey
Formby	Shivers
Graves	Smith
Hazlewood	Stone
Kelley	Van Zandt
Lanning	Vick
Lemens	Weinert
Lovelady	Winfield
Martin	York

Absent—Excused

Cotten	Spears
Hill	Sulak
Isbell	

Senate Bill 198 on Second Reading

On motion of Senator Shivers and by unanimous consent, the regular order of business was suspended, to permit consideration of S. B. No. 198 at this time.

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 198, A bill to be entitled "An Act to amend Article 4522 of the Revised Civil Statutes of Texas, providing for the use of letters 'R.N.' and providing for the establishing and operation of Registration Bureaus by registered nurses."

The bill was read second time.

Senator Shivers offered the following amendment to the bill:

Amend S. B. No. 198 as printed, by adding at the end of line 22 the following:

"When so operated, such registration bureaus shall not be liable for the payment of any occupation tax or license fee unless such registration bureaus are named specifically in any law imposing such occupational tax or license fee." And amend caption to conform.

The amendment was adopted.

The bill was passed to engrossment.

Senate Bill 198 on Third Reading

Senator Shivers moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 198 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—26

Aikin	Mauritz
Beck	Metcalf
Brownlee	Moffett
Chadick	Moore
Fain	Ramsey
Formby	Shivers
Graves	Smith
Hazlewood	Stone
Kelley	Van Zandt
Lanning	Vick
Lemens	Weinert
Lovelady	Winfield
Martin	York

Absent—Excused

Cotten	Spears
Hill	Sulak
Isbell	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—26

Aikin	Mauritz
Beck	Metcalf
Brownlee	Moffett
Chadick	Moore
Fain	Ramsey
Formby	Shivers
Graves	Smith
Hazlewood	Stone
Kelley	Van Zandt
Lanning	Vick
Lemens	Weinert
Lovelady	Winfield
Martin	York

Absent—Excused

Cotten	Spears
Hill	Sulak
Isbell	

Senate Bill 242 on Second Reading

On motion of Senator Van Zandt and by unanimous consent, the regular order of business was suspended, to permit consideration of S. B. No. 242 at this time.

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 242, A bill to be entitled "An Act to amend Article 1813, Revised Civil Statutes of Texas 1925, as amended by Acts 1936, Forty-fourth Legislature, Third Called Session, page 2108, Chapter 509, as amended by Acts 1937, Forty-fifth Legislature, page 297, Chapter 154, so as to add thereto a provision for the appointment of a special commissioner to serve with and assist a court of civil appeals where a member thereof is called or ordered into active military service of the United States; providing for the appointment of such special commissioner by the Governor, under certain defined circumstances; defining the duties, compensation, and term of office of such special commissioner; providing that nothing in this Act shall be considered as giving any two members of any court of civil appeals or the Governor the power or authority to remove or suspend any member of the court of civil appeals from his office, or to in any manner interfere with him in his constitutional rights and powers; providing that if any part of this Act is held unconstitutional, the valid portion of the same is intended to be enacted; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 242 on Third Reading

Senator Van Zandt moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 242 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—26

Aikin	Mauritz
Beck	Metcalf
Brownlee	Moffett
Chadick	Moore
Fain	Ramsey
Formby	Shivers
Graves	Smith
Hazlewood	Stone
Kelley	Van Zandt
Lanning	Vick
Lemens	Weinert
Lovelady	Winfield
Martin	York

Absent—Excused

Cotten
Hill
Isbell

Spears
Sulak

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—26

Aikin	Mauritz
Beck	Metcalfe
Brownlee	Moffett
Chadick	Moore
Fain	Ramsey
Formby	Shivers
Graves	Smith
Hazlewood	Stone
Kelley	Van Zandt
Lanning	Vick
Lemens	Weinert
Lovelady	Winfield
Martin	York

Absent—Excused

Cotten
Hill
Isbell

Spears
Sulak

Senate Bill 409 on First Reading

Senator Formby moved that Section 5 of Article 3 of the Constitution be suspended to permit his introducing a bill, the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—26

Aikin	Mauritz
Beck	Metcalfe
Brownlee	Moffett
Chadick	Moore
Fain	Ramsey
Formby	Shivers
Graves	Smith
Hazlewood	Stone
Kelley	Van Zandt
Lanning	Vick
Lemens	Weinert
Lovelady	Winfield
Martin	York

Absent—Excused

Cotten
Hill
Isbell

Spears
Sulak

The following bill then was introduced, read first time and referred to the Committee on Finance:

By Senator Formby:

S. B. No. 409, A bill to be entitled "An Act authorizing the Board of Directors of Texas Technological College to purchase insurance on the contents of the book store located on the campus of the college, and on the building and contents of the R.O.T.C. Building located on the campus of the college, and on the building and contents of the N.Y.A. Cooperative Dormitory Building located on the campus of the college; authorizing the payment of the necessary insurance premiums out of the local funds of the college and appropriating sufficient funds of money therefrom to pay same; and declaring an emergency."

Senate Bill 312 on Second Reading

On motion of Senator Kelley and by unanimous consent, the regular order of business was suspended, to permit consideration of S. B. No. 312 at this time.

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 312, A bill to be entitled "An Act creating the office of Criminal District Attorney in all counties having a population of not less than one hundred two thousand (102,000) nor more than one hundred ten thousand (110,000), and in which counties there are one or more judicial districts, and in which the county attorney performs the duties of county attorney and district attorney, and in which there is not now a district attorney; providing that the present county attorney in those counties shall qualify as criminal district attorney, remaining in office for the period such officer would have held his office as county attorney had this Act not been passed; providing that such officer shall take the oath and give the bond required of district attorneys by the Constitution and Laws of this State; provided that such criminal district attorney shall have and exercise all powers, duties, and privileges within such county as are by law conferred, or which may hereafter be conferred upon district and county attorneys, and providing the compensation for such officer; providing for the appointment of assistants, deputies, and clerks; fixing their powers, duties,

and compensation; providing for the election of a criminal district attorney in each such county; providing this Act shall be cumulative of all other laws; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 312 on Third Reading

Senator Kelley moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 312 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—26

Aikin	Mauritz
Beck	Metcalfe
Brownlee	Moffett
Chadick	Moore
Fain	Ramsey
Formby	Shivers
Graves	Smith
Hazlewood	Stone
Kelley	Van Zandt
Lanning	Vick
Lemens	Weinert
Lovelady	Winfield
Martin	York

Absent—Excused

Cotten	Spears
Hill	Sulak
Isbell	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—26

Aikin	Mauritz
Beck	Metcalfe
Brownlee	Moffett
Chadick	Moore
Fain	Ramsey
Formby	Shivers
Graves	Smith
Hazlewood	Stone
Kelley	Van Zandt
Lanning	Vick
Lemens	Weinert
Lovelady	Winfield
Martin	York

Absent—Excused

Cotten	Spears
Hill	Sulak
Isbell	

Report of Standing Committee

Senator Brownlee, by unanimous consent, submitted at this time the following report:

Austin, Texas,
March 28, 1941.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Highways and Motor Traffic, to whom was referred

S. B. No. 378, A bill to be entitled "An Act providing a more efficient road law and creating a more efficient road system for Webb County, Texas, and empowering the commissioners' court of said county to provide and adopt rules, regulations, plans and systems, etc."

Have had the same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

BROWNLEE, Chairman.

Senate Bill 373 on Second Reading

On motion of Senator Moore and by unanimous consent, the regular order of business was suspended, to permit consideration of S. B. No. 373 at this time.

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 373, A bill to be entitled "An Act providing that it shall be unlawful to take, kill, or attempt to take, or kill any prairie chickens in this State until September 1, 1946; providing a penalty; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 373 on Third Reading

Senator Moore moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 373 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—26

Aikin	Formby
Beck	Graves
Brownlee	Hazlewood
Chadick	Kelley
Fain	Lanning

Lemens	Shivers
Lovelady	Smith
Martin	Stone
Mauritz	Van Zandt
Metcalf	Vick
Moffett	Weinert
Moore	Winfield
Ramsey	York

Absent—Excused

Cotten	Spears
Hill	Sulak
Isbell	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—26

Aikin	Mauritz
Beck	Metcalf
Brownlee	Moffett
Chadick	Moore
Fain	Ramsey
Formby	Shivers
Graves	Smith
Hazlewood	Stone
Kelley	Van Zandt
Lanning	Vick
Lemens	Weinert
Lovelady	Winfield
Martin	York

Absent—Excused

Cotten	Spears
Hill	Sulak
Isbell	

Senate Bill 238 on Second Reading

On motion of Senator Lanning and by unanimous consent, the regular order of business was suspended, to permit consideration of S. B. No. 238 at this time.

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 238, A bill to be entitled "An Act providing for the leasing of all islands, salt water lakes, bays, inlets, marshes, and reefs owned by the State within tidewater limits, and that portion of the Gulf of Mexico within the jurisdiction of Texas, all beds of rivers and channels belonging to the State, and all unsold public free school land, both surveyed and unsurveyed, by the Commissioner of the General Land Office; provid-

ing that the price at which such land may be leased shall be determined by the school land board; defining the terms of lease; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 238 on Third Reading

Senator Lanning moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 238 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—26

Aikin	Mauritz
Beck	Metcalf
Brownlee	Moffett
Chadick	Moore
Fain	Ramsey
Formby	Shivers
Graves	Smith
Hazlewood	Stone
Kelley	Van Zandt
Lanning	Vick
Lemens	Weinert
Lovelady	Winfield
Martin	York

Absent—Excused

Cotten	Spears
Hill	Sulak
Isbell	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—26

Aikin	Mauritz
Beck	Metcalf
Brownlee	Moffett
Chadick	Moore
Fain	Ramsey
Formby	Shivers
Graves	Smith
Hazlewood	Stone
Kelley	Van Zandt
Lanning	Vick
Lemens	Weinert
Lovelady	Winfield
Martin	York

Absent—Excused

Cotten	Spears
Hill	Sulak
Isbell	

Senate Bill 280 on Second Reading

On motion of Senator Aikin and by unanimous consent, the regular order of business was suspended, to permit consideration of S. B. No. 280 at this time.

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 280, A bill to be entitled "An Act authorizing any school district having an indebtedness in excess of six (6%) per cent of its assessed valuation in which is located a school building which shall have been condemned by certain authorities, to levy a tax of not to exceed seventy-five (75c) cents on the One Hundred (\$100.00) Dollars valuation for the purchase, construction, repair or equipment of school buildings and the payment of principal and interest on bonds issued for such purpose; providing that the aggregate amount of such bonds at the time of issuance shall never reach an amount such that a tax of seventy-five (75c) cents on the One Hundred (\$100.00) Dollars valuation will not pay interest and principal as they accrue and mature; providing that the amount of maintenance tax and the amount of bond tax together shall never exceed One and 25/100 (\$1.25) Dollars on the One Hundred (\$100.00) Dollars valuation; providing that the bond tax shall operate to reduce the maintenance tax to the difference between the rate of bond tax and One and 25/100 (\$1.25) Dollars; providing that such tax shall not be levied and such bonds shall not be issued until authorized by an election; enacting other provisions relating to the subject hereof; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 280 on Third Reading

Senator Aikin moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 280 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—26

Aikin	Chadick
Beck	Fain
Brownlee	Formby

Graves	Moore
Hazlewood	Ramsey
Kelley	Shivers
Lanning	Smith
Lemens	Stone
Lovelady	Van Zandt
Martin	Vick
Mauritz	Weinert
Metcalfe	Winfield
Moffett	York

Absent—Excused

Cotten	Spears
Hill	Sulak
Isbell	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—26

Aikin	Mauritz
Beck	Metcalfe
Brownlee	Moffett
Chadick	Moore
Fain	Ramsey
Formby	Shivers
Graves	Smith
Hazlewood	Stone
Kelley	Van Zandt
Lanning	Vick
Lemens	Weinert
Lovelady	Winfield
Martin	York

Absent—Excused

Cotten	Spears
Hill	Sulak
Isbell	

Senate Bill 209 on Second Reading

On motion of Senator Lemens and by unanimous consent, the regular order of business was suspended, to permit consideration of S. B. No. 209 at this time.

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 209, A bill to be entitled "An Act to amend Section 19 of S. B. 111, Chapter 61, page 100, Acts Second Called Session of the Forty-first Legislature, and to add Section 38-c to Section 38, providing the manner in which building and loan associations organized under the laws of this State may make loans, advance credit and purchase obligations with respect to

the buildings, making of alterations, repairs and improvements of residential properties in 'defense housing areas' when such loans and obligations are secured by a mortgage that is insured against loss by the Federal Housing Administrator under the National Housing Act, approved June 27th, 1934, as amended, and as may hereafter be amended; providing that lease in effect creating a leasehold interest in such land and improvements thereon, which lease has a term of at least twenty (20) years to run from the date of the note; providing that no law of this State in conflict with the provisions of this Act shall be deemed to apply to loans, advances of credit, or purchase of obligations made pursuant to the authority granted under this Act, nor to the purchase of the fee simple title as provided herein; providing that the Banking Commissioner of Texas may prescribe additional regulations with respect to making loans, advancing of credit and the purchase of obligations, and real property, if, in his judgment, the protection of investors requires such additional regulations; providing for notice in such event; providing when his regulations shall take effect; etc.; and declaring an emergency."

The bill was read second time.

Senator Lemens offered the following (committee) amendment to the bill:

Amend S. B. No. 209 by striking out all above the enacting clause and insert in lieu thereof, the following:

S. B. No. 209, A bill to be entitled "An Act to amend Section 19 of S. B. No. 111, Chapter 61, page 100, Acts Second Called Session of the Forty-first Legislature; by adding Section 38-c to Section 38 thereof; providing when, how and under what circumstances building and loan associations may make loans, advance credit and purchase obligations with respect to the building, making of alterations, repairs and improvements in 'Defense Housing areas'; providing when, how and under what conditions such associations make loans, advance credit and purchase obligations for the purpose of financing construction, alterations, repairs or improvements upon urban and suburban real property; providing when, how and under what conditions such associations may make loans, advances of credit and purchase obligations under the pro-

visions of Title 1 of the National Housing Act, approved June 27th, 1934, as has or may be hereafter amended; providing when, how and under what conditions such associations may purchase the fee simple title to real property upon which improvements have been made; providing the Banking Commissioner of Texas may prescribe additional regulations with respect to the making of loans, advancing of credit and the purchase of obligations, and real property; providing when such regulations shall take effect; providing this Act shall be cumulative; and declaring an emergency."

The amendment was adopted.

The bill was passed to engrossment.

Senate Bill 209 on Third Reading

Senator Lemens moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 209 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—26

Aikin	Mauritz
Beck	Metcalfe
Brownlee	Moffett
Chadick	Moore
Fain	Ramsey
Formby	Shivers
Graves	Smith
Hazlewood	Stone
Kelley	Van Zandt
Lanning	Vick
Lemens	Weinert
Lovelady	Winfield
Martin	York

Absent—Excused

Cotten	Spears
Hill	Sulak
Isbell	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—26

Aikin	Formby
Beck	Graves
Brownlee	Hazlewood
Chadick	Kelley
Fain	Lanning

Lemens	Shivers
Lovelady	Smith
Martin	Stone
Mauritz	Van Zandt
Metcalf	Vick
Moffett	Weinert
Moore	Winfield
Ramsey	York

Absent—Excused

Cotten	Spears
Hill	Sulak
Isbell	

Senate Bill 262 on Second Reading

On motion of Senator Martin and by unanimous consent, the regular order of business was suspended, to permit consideration of S. B. No. 262 at this time.

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 262, A bill to be entitled "An Act authorizing independent school districts which heretofore have issued delinquent tax notes or certificates of indebtedness under the provisions of Chapter 16, passed at the Forty-sixth Legislature to issue negotiable bonds to refund such notes and certificates, and to levy a tax for payment of such bonds; providing that no such refunding bonds shall be issued and no tax shall be levied therefor unless authorized by a majority vote at an election; enacting provisions with reference to the calling and holding of such election and with reference to the issuance of such bonds; requiring approval by the Attorney General, registration thereof by the Comptroller of Public Accounts and prescribing the effect thereof; validating such notes and certificates with the provision that such validation shall not apply to any notes or certificates, the validity of which shall have been attacked in any litigation pending at the time this Act becomes effective; enacting other provisions relating to such subject; and declaring an emergency."

The bill was read second time.

Senator Martin offered the following amendment to the bill:

Amend S. B. No. 262 by adding in Section 1, line 3, after the words "Forty-sixth Legislature," the words "as contained in S. B. No. 419, Acts of the Forty-sixth Legislature." And amend the caption to conform.

The amendment was adopted.

The bill was passed to engrossment.

Senate Bill 262 on Third Reading

Senator Martin moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 262 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—26

Aikin	Mauritz
Beck	Metcalf
Brownlee	Moffett
Chadick	Moore
Fain	Ramsey
Formby	Shivers
Graves	Smith
Hazlewood	Stone
Kelley	Van Zandt
Lanning	Vick
Lemens	Weinert
Lovelady	Winfield
Martin	York

Absent—Excused

Cotten	Spears
Hill	Sulak
Isbell	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—26

Aikin	Mauritz
Beck	Metcalf
Brownlee	Moffett
Chadick	Moore
Fain	Ramsey
Formby	Shivers
Graves	Smith
Hazlewood	Stone
Kelley	Van Zandt
Lanning	Vick
Lemens	Weinert
Lovelady	Winfield
Martin	York

Absent—Excused

Cotten	Spears
Hill	Sulak
Isbell	

Senate Bill 89 on Second Reading

On motion of Senator Winfield and by unanimous consent, the regular order of business was suspended, to permit consideration of S. B. No. 89 at this time.

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 89, A bill to be entitled "An Act amending S. B. No. 161 of the Forty-sixth Legislature, Acts 1939, Special Laws, page 723, so as to exempt certain independent school districts created under Chapter 5, Acts 1930, Forty-first Legislature, Fifth Called Session, from the provisions of Article 2763, Revised Civil Statutes of Texas, 1925; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 89 on Third Reading

Senator Winfield moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 89 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—26

Aikin	Mauritz
Beck	Metcalf
Brownlee	Moffett
Chadick	Moore
Fain	Ramsey
Formby	Shivers
Graves	Smith
Hazlewood	Stone
Kelley	Van Zandt
Lanning	Vick
Lemens	Weinert
Lovelady	Winfield
Martin	York

Absent—Excused

Cotten	Spears
Hill	Sulak
Isbell	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—26

Aikin	Kelley
Beck	Lanning
Brownlee	Lemens
Chadick	Lovelady
Fain	Martin
Formby	Mauritz
Graves	Metcalf
Hazlewood	Moffett

Moore	Van Zandt
Ramsey	Vick
Shivers	Weinert
Smith	Winfield
Stone	York

Absent—Excused

Cotten	Spears
Hill	Sulak
Isbell	

House Bill 731 on Second Reading

Senator Metcalfe moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 73 be placed on its second reading and passage to third reading and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—26

Aikin	Mauritz
Beck	Metcalf
Brownlee	Moffett
Chadick	Moore
Fain	Ramsey
Formby	Shivers
Graves	Smith
Hazlewood	Stone
Kelley	Van Zandt
Lanning	Vick
Lemens	Weinert
Lovelady	Winfield
Martin	York

Absent—Excused

Cotten	Spears
Hill	Sulak
Isbell	

The President then laid the bill before the Senate on its second reading and passage to third reading.

The bill was read second time and was passed to third reading.

House Bill 731 on Third Reading

The President then laid H. B. No. 731 before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—26

Aikin	Graves
Beck	Hazlewood
Brownlee	Kelley
Chadick	Lanning
Fain	Lemens
Formby	Lovelady

Martin	Smith
Mauritz	Stone
Metcalf	Van Zandt
Moffett	Vick
Moore	Weinert
Ramsey	Winfield
Shivers	York

Absent—Excused

Cotten	Spears
Hill	Sulak
Isbell	

**Committee Substitute Senate Bill 220
on Second Reading**

On motion of Senator Chadick and by unanimous consent, the regular order of business was suspended, to permit consideration of C. S. S. B. No. 220 at this time.

The President laid before the Senate on its second reading and passage to engrossment:

C.S.S.B. No. 220, A bill to be entitled "An Act granting the commissioners' court of counties having a population of not less than twenty-four thousand three hundred (24,300) nor more than twenty-four thousand three hundred sixty (24,360), according to last preceding Federal Census, and having a permanent school fund permission to transfer the administration, investment, etc.; and declaring an emergency."

The bill was read second time and was passed to engrossment.

**Committee Substitute Senate Bill 220
on Third Reading**

Senator Chadick moved that the constitutional rule requiring bills to be read on three several days be suspended and that C. S. S. B. No. 220 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—26

Aikin	Mauritz
Beck	Metcalf
Brownlee	Moffett
Chadick	Moore
Fain	Ramsey
Formby	Shivers
Graves	Smith
Hazlewood	Stone
Kelley	Van Zandt
Lanning	Vick
Lemens	Weinert
Lovelady	Winfield
Martin	York

Absent—Excused

Cotten	Spears
Hill	Sulak
Isbell	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—26

Aikin	Mauritz
Beck	Metcalf
Brownlee	Moffett
Chadick	Moore
Fain	Ramsey
Formby	Shivers
Graves	Smith
Hazlewood	Stone
Kelley	Van Zandt
Lanning	Vick
Lemens	Weinert
Lovelady	Winfield
Martin	York

Absent—Excused

Cotten	Spears
Hill	Sulak
Isbell	

Senate Concurrent Resolution 31

On motion of Senator Ramsey and by unanimous consent, the regular order of business was suspended, to permit consideration of S. C. R. No. 31 at this time.

The President laid before the Senate for consideration at this time:

S. C. R. No. 31, Granting Rogers Hale and Homer Sessions permission to sue the State.

The resolution was adopted.

Senate Concurrent Resolution 32

On motion of Senator Ramsey and by unanimous consent, the regular order of business was suspended, to permit consideration of S. C. R. No. 32 at this time.

The President laid before the Senate for consideration at this time:

S. C. R. No. 32, Authorizing Bob Millard to sue the State.

The resolution was read.

Senator Ramsey offered the following amendment to the resolution:

Amend S. C. R. No. 32 by striking out the following words from the fourth paragraph of such resolution:

"reserving to either party the right of appeal and if final judgment is rendered against the State of Texas, and/or the State Highway Department, the State Highway Commission is hereby authorized and empowered to pay same out of the State Highway Fund and there is hereby appropriated out of State Highway Funds not otherwise appropriated a sufficient amount to pay said final judgment, if any, which might be recovered by the said Bob Millard."

The amendment was adopted.

The resolution as amended was adopted.

Senate Bill 378 on Second Reading

On motion of Senator Kelley and by unanimous consent, the regular order of business was suspended, to permit consideration of S. B. No. 378 at this time.

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 378, A bill to be entitled "An Act providing a more efficient road law and creating a more efficient road system for Webb County, Texas, and empowering the commissioners' court of said county to provide and adopt rules, regulations, plans and system for the acquisition, construction, purchase, improvement, maintenance, operation and repair of the roads and bridges of said county; providing for and vesting certain authority, powers and duties upon the commissioners' court and other county officers of said county in relation to the road and bridge affairs of said county; providing for the acquisition, construction, improvement, purchase, maintenance, operation and repair of the roads and bridges of said county, and authorizing and empowering said court to make contracts therefor and to provide for payment thereof; validating all orders, acts, and proceedings had for the road maintenance tax election held in said county; providing for the exercise of eminent domain, and the acquisition and occupancy of lands and other property for the roads and bridges of said county by condemnation and making it optional for Webb County to proceed to condemn land and property under the railroad condemnation statute or to act under the General Law relative to opening public roads by jury of view; regulating and providing

for application and permit for constructing, moving or relocating pipe lines, telegraph, telephone and power transmission lines or other public utility upon, under or across roads and bridges of said county, and providing penalties for violation thereof; providing for opening, widening, relocating and otherwise modifying the roads and bridges of said county, and regulating the moving, removal and relocation of pipe lines, telegraph, telephone and power transmission lines or other public utility upon, under and across roads and bridges of said county, and providing penalties for violation thereof; providing for drainage of roads of said county, prohibiting the obstruction, alteration, diversion or change of storm and surface waters in such manner as to cause damage to the roads and bridges of said county, and providing penalties and for recovery of damages, costs and expense incurred for violation thereof; prohibiting the damage, defacement, injury to or obstruction of roads and bridges of said county, and providing penalties, liability and for recovery of damages, costs and expense incurred, for violation thereof; etc.; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 378 on Third Reading

Senator Kelley moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 378 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—26

Aikin	Mauritz
Beck	Metcalfe
Brownlee	Moffett
Chadick	Moore
Fain	Ramsey
Formby	Shivers
Graves	Smith
Hazlewood	Stone
Kelley	Van Zandt
Lanning	Vick
Lemens	Weinert
Lovelady	Winfield
Martin	York

Absent—Excused

Cotten	Spears
Hill	Sulak
Isbell	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote.

Yeas—26

Aikin	Mauritz
Beck	Metcalfe
Brownlee	Moffett
Chadick	Moore
Fain	Ramsey
Formby	Shivers
Graves	Smith
Hazlewood	Stone
Kelley	Van Zandt
Lanning	Vick
Lemens	Weinert
Lovelady	Winfield
Martin	York

Absent—Excused

Cotten	Spears
Hill	Sulak
Isbell	

Senate Bill 278 on Second Reading

On motion of Senator Mauritz and by unanimous consent, the regular order of business was suspended, to permit consideration of S. B. No. 278 at this time.

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 278, A bill to be entitled "An Act amending Article 2702, Revised Civil Statutes of Texas, 1925, as amended by Section 1, Chapter 348, Acts of the Forty-second Legislature, providing that in counties having a population of not less than eight thousand six hundred (8,600) nor more than nine thousand (9,000) according to the last preceding Federal Census, an election may be ordered as otherwise provided herein, to determine whether or not said county shall adopt the county unit system of education; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 278 on Third Reading

Senator Mauritz moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 278 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—26

Aikin	Mauritz
Beck	Metcalfe
Brownlee	Moffett
Chadick	Moore
Fain	Ramsey
Formby	Shivers
Graves	Smith
Hazlewood	Stone
Kelley	Van Zandt
Lanning	Vick
Lemens	Weinert
Lovelady	Winfield
Martin	York

Absent—Excused

Cotten	Spears
Hill	Sulak
Isbell	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—26

Aikin	Mauritz
Beck	Metcalfe
Brownlee	Moffett
Chadick	Moore
Fain	Ramsey
Formby	Shivers
Graves	Smith
Hazlewood	Stone
Kelley	Van Zandt
Lanning	Vick
Lemens	Weinert
Lovelady	Winfield
Martin	York

Absent—Excused

Cotten	Spears
Hill	Sulak
Isbell	

House Bill 77 on Second Reading

On motion of Senator Brownlee and by unanimous consent, the regular order of business was suspended, to permit consideration of H. B. No. 77 at this time.

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 77, A bill to be entitled "An Act to amend Section 8 of Chapter 282, Acts of the Regular Session, Forty-second Legislature, 1931; and declaring an emergency."

The bill was read second time.

Senator Brownlee offered the following amendment to the bill:

(1)

Amend H. B. No. 77, Section 8, line 51, page 1 of the printed bill, by placing a period after the word "night time," and striking out the remainder of the sentence.

The amendment was adopted.

The bill was passed to third reading.

House Bill 77 on Third Reading

Senator Brownlee moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 77 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—26

Aikin	Mauritz
Beck	Metcalf
Brownlee	Moffett
Chadick	Moore
Fain	Ramsey
Formby	Shivers
Graves	Smith
Hazlewood	Stone
Kelley	Van Zandt
Lanning	Vick
Lemens	Weinert
Lovelady	Winfield
Martin	York

Absent—Excused

Cotten	Spears
Hill	Sulak
Isbell	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—26

Aikin	Mauritz
Beck	Metcalf
Brownlee	Moffett
Chadick	Moore
Fain	Ramsey
Formby	Shivers
Graves	Smith
Hazlewood	Stone
Kelley	Van Zandt
Lanning	Vick
Lemens	Weinert
Lovelady	Winfield
Martin	York

Absent—Excused

Cotten	Spears
Hill	Sulak
Isbell	

Senate Resolution 77

Senator Hazlewood, by unanimous consent, offered the following resolution at this time:

Whereas, R. A. Wilson, a prominent citizen and practicing attorney of the City of Amarillo, is present in Austin and is now in the gallery on this 28th day of March observing the operations of government; now, therefore, be it

Resolved by the Senate of Texas, That there be extended to this visitor a cordial welcome to his Capitol and that the privileges of the floor be extended to him.

The resolution was read and by unanimous consent, it was considered at this time and was adopted.

Senate Bill 179 on Second Reading

On motion of Senator Metcalfe and by unanimous consent, the regular order of business was suspended, to permit consideration of S. B. No. 179 at this time.

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 179, A bill to be entitled "An Act creating a special road law for Coke County, Texas; providing that said county may fund or refund into coupon bonds the scrip and time warrants outstanding against its road and bridge fund as of the 28th day of February, 1941; setting forth the method of said funding or refunding; validating all acts of the commissioners' court in issuing said scrip and time warrants; validating said scrip and time warrants; providing the General Laws of the State of Texas shall be applicable to Coke County when not in conflict herewith; providing this Act shall be cumulative of all general and special laws not in conflict herewith; providing a saving clause; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 179 on Third Reading

Senator Metcalfe moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 179 be

placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—26

Aikin	Mauritz
Beck	Metcalf
Brownlee	Moffett
Chadick	Moore
Fain	Ramsey
Formby	Shivers
Graves	Smith
Hazlewood	Stone
Kelley	Van Zandt
Lanning	Vick
Lemens	Weinert
Lovelady	Winfield
Martin	York

Absent—Excused

Cotten	Spears
Hill	Sulak
Isbell	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—26

Aikin	Mauritz
Beck	Metcalf
Brownlee	Moffett
Chadick	Moore
Fain	Ramsey
Formby	Shivers
Graves	Smith
Hazlewood	Stone
Kelley	Van Zandt
Lanning	Vick
Lemens	Weinert
Lovelady	Winfield
Martin	York

Absent—Excused

Cotten	Spears
Hill	Sulak
Isbell	

House Bill 368 on Second Reading

On motion of Senator Mauritz and by unanimous consent, the regular order of business was suspended, to permit consideration of H. B. No. 368 at this time.

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 368, A bill to be entitled "An Act providing for compensation

for county auditor in certain counties; providing mode and manner of payment of such salary; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 368 on Third Reading

Senator Mauritz moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 368 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—26

Aikin	Mauritz
Beck	Metcalf
Brownlee	Moffett
Chadick	Moore
Fain	Ramsey
Formby	Shivers
Graves	Smith
Hazlewood	Stone
Kelley	Van Zandt
Lanning	Vick
Lemens	Weinert
Lovelady	Winfield
Martin	York

Absent—Excused

Cotten	Spears
Hill	Sulak
Isbell	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—26

Aikin	Mauritz
Beck	Metcalf
Brownlee	Moffett
Chadick	Moore
Fain	Ramsey
Formby	Shivers
Graves	Smith
Hazlewood	Stone
Kelley	Van Zandt
Lanning	Vick
Lemens	Weinert
Lovelady	Winfield
Martin	York

Absent—Excused

Cotten	Spears
Hill	Sulak
Isbell	

Senate Bill 199 on Second Reading

On motion of Senator Shivers and by unanimous consent, the regular order of business was suspended, to permit consideration of S. B. No. 199 at this time.

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 199, A bill to be entitled "An Act amending Article 923rr of the Penal Code of the State of Texas; so that it shall be unlawful for any person, at any time, to set a trap for or trap or kill any muskrat upon any land of another or be in possession of a muskrat or the hide of such animal taken from such land, without the consent of the owner or lessee of such land to trap thereon; providing that such person may in relief against this provision show a rightful, legal possession of such muskrat or the hide of such animal; specifying a penalty; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 199 on Third Reading

Senator Shivers moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 199 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—26

Aikin	Mauritz
Beck	Metcalfe
Brownlee	Moffett
Chadick	Moore
Fain	Ramsey
Formby	Shivers
Graves	Smith
Hazlewood	Stone
Kelley	Van Zandt
Lanning	Vick
Lemens	Weinert
Lovelady	Winfield
Martin	York

Absent—Excused

Cotten	Spears
Hill	Sulak
Isbell	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—26

Aikin	Mauritz
Beck	Metcalfe
Brownlee	Moffett
Chadick	Moore
Fain	Ramsey
Formby	Shivers
Graves	Smith
Hazlewood	Stone
Kelley	Van Zandt
Lanning	Vick
Lemens	Weinert
Lovelady	Winfield
Martin	York

Absent—Excused

Cotten	Spears
Hill	Sulak
Isbell	

House Bill 154 on Second Reading

On motion of Senator Vick and by unanimous consent, the regular order of business was suspended, to permit consideration of H. B. No. 154 at this time.

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 154, A bill to be entitled "An Act to amend Section 24, Chapter 241, H. B. No. 755, Acts of the Regular Session of the Forty-fourth Legislature, by adding a new paragraph to said Section 24, to be known as subsection (c); directing the Treasurer to promulgate rules and regulations providing for the exchange or replacement of new stamps for any stamps affixed to any package of cigarettes under certain circumstances; and declaring an emergency."

The bill was read second time, and was passed to third reading.

House Bill 154 on Third Reading

Senator Vick moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 154 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—26

Aikin	Brownlee
Beck	Chadick

Fain	Moffett
Formby	Moore
Graves	Ramsey
Hazlewood	Shivers
Kelley	Smith
Lanning	Stone
Lemens	Van Zandt
Lovelady	Vick
Martin	Weinert
Mauritz	Winfield
Metcalf	York

Absent—Excused

Cotten	Spears
Hill	Sulak
Isbell	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—26

Aikin	Mauritz
Beck	Metcalf
Brownlee	Moffett
Chadick	Moore
Fain	Ramsey
Formby	Shivers
Graves	Smith
Hazlewood	Stone
Kelley	Van Zandt
Lanning	Vick
Lemens	Weinert
Lovelady	Winfield
Martin	York

Absent—Excused

Cotten	Spears
Hill	Sulak
Isbell	

Senate Bill 88 on Second Reading

On motion of Senator Martin and by unanimous consent, the regular order of business was suspended, to permit consideration of S. B. No. 88 at this time.

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 88, A bill to be entitled "An Act providing a special fishing license for those who fish in the waters of Lake Worth and Eagle Mountain Lake, or either of them; providing for deposit of funds from the sale of such licenses and of any funds collected as fees or penalties for violations of this Act in the Lake

Worth-Eagle Mountain Lake Fund; providing the uses of such fund and regulations controlling same; providing for the appointment of a Lake Worth-Eagle Mountain Lake Advisory Board and prescribing the manner of its appointment and its duties; providing a penalty for violation of any provision of this Act; repealing all laws, in so far as they conflict with this Act; providing a saving clause; and declaring an emergency."

The bill was read second time.

Senator Martin offered the following amendments to the bill:

(1)

Amend S. B. No. 88, page 2, line 12 of Section 2, by striking out the word "not" and inserting in lieu thereof the word "and."

(2)

Amend S. B. No. 88, page 5, line 5 of Section 5, by striking out the fourth word—"Texas" in said line.

(3)

Amend S. B. No. 88, page 6, by renumbering Section 7 to read "Section 8."

(4)

Amend the caption to conform.

The amendments were adopted severally.

The bill was passed to engrossment.

Senate Bill 88 on Third Reading

Senator Martin moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 88 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—26

Aikin	Mauritz
Beck	Metcalf
Brownlee	Moffett
Chadick	Moore
Fain	Ramsey
Formby	Shivers
Graves	Smith
Hazlewood	Stone
Kelley	Van Zandt
Lanning	Vick
Lemens	Weinert
Lovelady	Winfield
Martin	York

Absent—Excused

Cotten	Spears
Hill	Sulak
Isbell	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—26

Aikin	Mauritz
Beck	Metcalfe
Brownlee	Moffett
Chadick	Moore
Fain	Ramsey
Formby	Shivers
Graves	Smith
Hazlewood	Stone
Kelley	Van Zandt
Lanning	Vick
Lemens	Weinert
Lovelady	Winfield
Martin	York

Absent—Excused

Cotten	Spears
Hill	Sulak
Isbell	

Senate Bill 224 on Second Reading

On motion of Senator Metcalfe and by unanimous consent, the regular order of business was suspended, to permit consideration of S. B. No. 224 at this time.

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 224, A bill to be entitled "An Act conferring additional powers on the board of trustees in any independent school district having a scholastic population of not less than five hundred (500) and located in any county in this State having a population of not less than four thousand five hundred twenty-one (4,521) and not more than four thousand five hundred thirty-three (4,533), according to the last preceding Federal Census; providing for the pledging of funds for school purposes not to exceed Ten Thousand (\$10,000.00) Dollars for a period not to exceed three years, payable out of anticipated revenues of local funds not otherwise appropriated; providing for the payment or renewal of any current loans by new loans against anticipated revenues of the

succeeding year; providing that the provisions of this Act may be cumulative of all other laws, but that in the event of conflict, the provisions hereof shall prevail; enacting provisions incident to and relating to the subject; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 224 on Third Reading

Senator Metcalfe moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 224 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—26

Aikin	Mauritz
Beck	Metcalfe
Brownlee	Moffett
Chadick	Moore
Fain	Ramsey
Formby	Shivers
Graves	Smith
Hazlewood	Stone
Kelley	Van Zandt
Lanning	Vick
Lemens	Weinert
Lovelady	Winfield
Martin	York

Absent—Excused

Cotten	Spears
Hill	Sulak
Isbell	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—26

Aikin	Mauritz
Beck	Metcalfe
Brownlee	Moffett
Chadick	Moore
Fain	Ramsey
Formby	Shivers
Graves	Smith
Hazlewood	Stone
Kelley	Van Zandt
Lanning	Vick
Lemens	Weinert
Lovelady	Winfield
Martin	York

Absent—Excused

Cotten	Spears
Hill	Sulak
Isbell	

Senate Bill 30 on Second Reading

On motion of Senator Shivers and by unanimous consent, the regular order of business was suspended, to permit consideration of S. B. No. 30 at this time.

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 30, A bill to be entitled "An Act declaring the sovereignty of Texas along its seacoast; fixing its present seacoast boundary and ownership; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 30 on Third Reading

Senator Shivers moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 30 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—26

Aikin	Mauritz
Beck	Metcalf
Brownlee	Moffett
Chadick	Moore
Fain	Ramsey
Formby	Shivers
Graves	Smith
Hazlewood	Stone
Kelley	Van Zandt
Lanning	Vick
Lemens	Weinert
Lovelady	Winfield
Martin	York

Absent—Excused

Cotten	Spears
Hill	Sulak
Isbell	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—26

Aikin	Brownlee
Beck	Chadick

Fain	Moffett
Formby	Moore
Graves	Ramsey
Hazlewood	Shivers
Kelley	Smith
Lanning	Stone
Lemens	Van Zandt
Lovelady	Vick
Martin	Weinert
Mauritz	Winfield
Metcalf	York

Absent—Excused

Cotten	Spears
Hill	Sulak
Isbell	

Senate Bill 219 on Second Reading

On motion of Senator Chadick and by unanimous consent, the regular order of business was suspended, to permit consideration of S. B. No. 219 at this time.

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 219, A bill to be entitled "An Act providing that no election for the dissolution of school districts shall be held until three years have elapsed after the date of the election at which such districts were consolidated; and no election for the consolidation of the same school districts shall be held until three years have elapsed after the date of the election at which consolidation of the same school districts was defeated; repealing all laws in conflict therewith; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 219 on Third Reading

Senator Chadick moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 219 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—26

Aikin	Kelley
Beck	Lanning
Brownlee	Lemens
Chadick	Lovelady
Fain	Martin
Formby	Mauritz
Graves	Metcalf
Hazlewood	Moffett

Moore	Van Zandt
Ramsey	Vick
Shivers	Weinert
Smith	Winfield
Stone	York

Absent—Excused

Cotten	Spears
Hill	Sulak
Isbell	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—26

Aikin	Mauritz
Beck	Metcalfe
Brownlee	Moffett
Chadick	Moore
Fain	Ramsey
Formby	Shivers
Graves	Smith
Hazlewood	Stone
Kelley	Van Zandt
Lanning	Vick
Lemens	Weinert
Lovelady	Winfield
Martin	York

Absent—Excused

Cotten	Spears
Hill	Sulak
Isbell	

Senate Bill 143 on Second Reading

On motion of Senator Moffett and by unanimous consent, the regular order of business was suspended, to permit consideration of S. B. No. 143 at this time.

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 143, A bill to be entitled "An Act amending Article 768 of the Code of Criminal Procedure of the State of Texas of 1925, as amended by S. B. No. 261, Chapter 86, page 129, Acts of the Regular Session of the Forty-second Legislature, 1931, vesting in trial judges discretionary authority to credit defendants in criminal cases with the time spent in jail awaiting trial; and providing and vesting in trial judges discretionary authority to credit defendants in criminal cases with time spent in jail after trial and conviction, in all cases where defendants fail to give

bond or enter into recognizance; providing such discretion shall not apply in cases where bond and/or recognizance is not permitted by law; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 143 on Third Reading

Senator Moffett moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 143 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—26

Aikin	Mauritz
Beck	Metcalfe
Brownlee	Moffett
Chadick	Moore
Fain	Ramsey
Formby	Shivers
Graves	Smith
Hazlewood	Stone
Kelley	Van Zandt
Lanning	Vick
Lemens	Weinert
Lovelady	Winfield
Martin	York

Absent—Excused

Cotten	Spears
Hill	Sulak
Isbell	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—25

Aikin	Mauritz
Beck	Metcalfe
Brownlee	Moffett
Chadick	Moore
Fain	Ramsey
Formby	Shivers
Graves	Smith
Hazlewood	Stone
Kelley	Vick
Lanning	Weinert
Lemens	Winfield
Lovelady	York
Martin	

Nays—1

Van Zandt

Absent—Excused

Cotten	Spears
Hill	Sulak
Isbell	

Senate Bill 193 on Second Reading

On motion of Senator Brownlee and by unanimous consent, the regular order of business was suspended, to permit consideration of S. B. No. 193 at this time.

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 193, A bill to be entitled "An Act amending S. B. No. 6 of the Regular Session of the Forty-second Legislature [relating to salaries of of investigators, etc., assistant district attorney in certain counties]; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 193 on Third Reading

Senator Brownlee moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 193 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—26

Aikin	Hazlewood
Beck	Kelley
Brownlee	Lanning
Chadick	Lemens
Fain	Lovelady
Formby	Martin
Graves	Mauritz

Metcalfe
Moffett
Moore
Ramsey
Shivers
Smith

Stone
Van Zandt
Vick
Weinert
Winfield
York

Absent—Excused

Cotten	Spears
Hill	Sulak
Isbell	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—26

Aikin	Mauritz
Beck	Metcalfe
Brownlee	Moffett
Chadick	Moore
Fain	Ramsey
Formby	Shivers
Graves	Smith
Hazlewood	Stone
Kelley	Van Zandt
Lanning	Vick
Lemens	Weinert
Lovelady	Winfield
Martin	York

Absent—Excused

Cotten	Spears
Hill	Sulak
Isbell	

Adjournment

Senator Lovelady moved that the Senate adjourn until 10:00 o'clock a. m. Monday, March 31, 1941.

The motion prevailed; and the Senate, accordingly, at 12:50 o'clock, p. m., adjourned until 10:00 o'clock a. m. Monday, March 31, 1941.

In Memory of
Hon. W. P. Sebastian

Senator Smith offered the following resolution:

(Senate Resolution 76)

Whereas, On Thursday, March 27th, the Honorable W. P. Sebastian, one of the outstanding citizens of Texas and a former distinguished member of this body died in the City of Fort Worth, Texas; and

Whereas, W. P. Sebastian served in the House of Representatives in the Twenty-third and Twenty-fourth Legislatures during the administrations of Governor Hogg, and in the Senate in the Twenty-sixth, Twenty-seventh and Twenty-eighth Legislatures in the administrations of Governor Sayers and Lanham; and

Whereas, During this long period of legislative activity he rendered conspicuous service as a law maker, having to do with much of the important legislation of his time; and

Whereas, For many years he was active in the councils of his party in both State and National affairs; and

Whereas, He was a humanitarian of the old school and a public servant whose reward was the good he did rather than any preferment or material considerations. The natural understanding Senator Sebastian had of his fellow men, his instant sympathy, with those in distress, and the integrity of his private and public life established him as a leader among those who knew him. His judgment was sound, no colleague ever had occasion to ever question his word. He represented his trust with utmost honor; it was not his nature to take advantage of an adversary; not to use his abilities to oppress or destroy. On the contrary he guided his affairs by the rules of conscience and equity, and he could stand before mankind without fear. Senator Sebastian's work is not done so long as we recall his devotion to his family and home, his loyalty to his friends, the wisdom of his advice and the moral honesty of his name and character, his influence will be felt, and we are, and will be better for the privilege of having known him. Indeed, he has lifted the veil and is walking unafraid in the unknown; now, therefore, be it

Resolved, That we deeply sympathize with the relatives and friends and those others who suffer in this, their great and irreparable grief and express for them a consolation in that religious faith that Senator Sebastian followed and exemplified throughout his life; and, be it further

Resolved, That when the Senate adjourns today that it do so in respect to and in memory of the Honorable W. P. Sebastian, and that the Secretary of the Senate send to the family of the deceased a copy of this resolution under the seal of the Senate of Texas.

The resolution was read and was adopted unanimously.